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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

112300-768

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Application Number

10/662,495

Filed

September 15, 2003

First Named Inventor

Chamberlain et al.

Art Unit

3714

Examiner

Nguyen, Binh An Duc

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

applicant/inventor.



Signature

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

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August 28, 2007

Date

Registration number if acting under 37 CFR 1.34 _____

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.



*Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chamberlain, et al.
Appl. No.: 10/662,495
Conf. No.: 9203
Filed: September 15, 2003
Title: ELECTRONIC FUND TRANSFER KIOSK FOR USE WITH WAGERING
GAMING MACHINE
Art Unit: 3714
Examiner: Nguyen, Binh An Duc
Docket No.: 0112300-768

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

This request is submitted in response to the Final Office Action dated June 29, 2007. This request is filed contemporaneously with USPTO form PTO/SB/33, "Pre-Appeal Brief Request for Review" and form PTO/SB/31, "Notice of Appeal."

Remarks begin on page 2 of this paper.

REMARKS

The Office Action rejected Claims 1 to 25 under 35 U.S.C. § 103(a) as being unpatentable over *Rowe* (2002/0002075) in view of *Crevelt* (5,902,983). Applicants respectfully disagree with and traverse this rejection. All of the currently pending Claims as presently presented are clearly patentably distinguished over each of *Rowe* and *Crevelt* alone and *Rowe* and *Crevelt* in combination.

Each of the pending claims recites a kiosk based system or method (such as an automated teller machine) that enables a player to move money from a remote fund repository (such as a bank) via an electronic fund transfer network (such as a banking network) into a gaming device (such as a slot machine). The funds are moved from the kiosk to the gaming device via a printed ticket that is approved by a ticket validation system (such as a local casino server) via a ticket validation network (such as a local casino network). The kiosk is connected to and communicates through an electronic fund transfer network without communicating through a ticket validation network. More specifically:

Claim 1 recites “a processor configured to communicate over an electronic fund transfer network to a remote fund repository without communicating through a ticket validation network.” (Emphasis added).

Claim 10 recites “an electronic fund transfer kiosk having a ticket printer and a second different processor that operates with the ticket printer, the second processor to communicate via the ticket validation network to the ticket validation system via an electronic transfer network to a remote fund repository without communicating through the ticket validation network.” (Emphasis added).

Claim 21 recites “transmitting electronically a fund request from a processor of an electronic fund transfer kiosk to a remote fund repository via an electronic fund transfer network without communicating through a ticket validation network.” (Emphasis added).

Creveit and *Rowe*, alone or in combination, clearly do not teach or suggest a processor that communicates over an electronic fund transfer network to a remote fund repository without communicating through a ticket validation network as currently claimed.

As shown in FIG. 2 of *Creveit*, any communications, such as EFT requests, sent from a gaming device (e.g., gaming device 26) to the remote fund repository (i.e., EFT host 56) goes through the ticket validation network (i.e., token ring LAN 44 and/or the floor network 32) because all communications sent from a gaming device (e.g., gaming device 26) to the remote fund repository (i.e., EFT host 56) must go through the ticket validation network (i.e., token ring LAN 44 and/or the floor network 32).

This interaction between the casino accounting system and the EFT system is referenced in *Creveit* as follows:

the EFT processor 72 has read access to the main customer database 64 so that it can get account information, etc.
Further, in order to keep the casino accounting information up to date, the processor 72 can write information to the main database 64--but only through transaction processor 54. Specifically, the EFT processor 72 writes changes to an EFT transaction queue 80 which is read by processor 54. Thereafter, processor 54 writes the change to database 64. Information passed from EFT processor 72 to transaction processor 54 might include, for example, electronic credits transferred in, electronic credits transferred out, etc. in order to meter each machine's "electronic drop". (col. 8, lines 49-61) [Emphasis added]

Creveit clearly teaches that all communications coming from the gaming device (e.g., gaming device 26) go through the EFT processor 10 and over a single communication route (e.g., line 32). More specifically, *Creveit* clearly teaches that EFT requests go over the communication line 32 before going to a remote EFT processor 72. For example:

[the gaming machine interface 10] contains the hardware and software and/or firmware necessary to allow processing of information from both game controller 6 and EFT system 11. In the context of this invention, gaming machine interface 10 is specially programmed to communicate with such game controller and EFT system such that it can send electronic or

optical signals requesting a funds transfer from a remote institution, and it can also receive signals authorizing such transfers to obtain plays on the gaming machine. Interface 10 can also receive and process information provided by game controller 6 regarding the progress of a game including any payouts to gaming machine interface 10. (col. 5, lines 22-34) [Emphasis added]

Similarly, Rowe shows kiosk 132 sharing a communication path with the gaming machines 102 (see Fig. 2).

Applicants therefore respectfully submit that independent Claims 1, 10, and 21, as well as all claims that depend therefrom, are each patentably distinguished over *Rowe* and *Crevelt* alone and in combination.

In light of the above, Applicants respectfully submit that the present claims are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully requests that the rejections be reversed. If any fees are due in connection with this application as a whole, the office is hereby authorized to deduct said fees from Deposit Account No.: 02-1818.

Respectfully submitted,
BELL, BOYD & LLOYD LLP

BY



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Dated: August 28, 2007